



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Tuesday, April 22, 2004, 8:00 p.m.
777 B Street, Hayward, CA 94541**

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:33 p.m., by Chairperson Zermeño, followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS: Bogue, Sacks, Fraas, Thnay

CHAIRPERSON: Zermeño

Absent: COMMISSIONERS: McKillop, One vacancy

Staff Members Present: Anderly, Dal Bianco, Emura, Hart, Patenaude, Reyes

General Public Present: Approximately 3

PUBLIC COMMENT

There were no public comments.

PUBLIC HEARINGS

1. **Use Permit Application No. PL-2004-0002 – Alex Irshaid (Applicant)/World Oil Marketing Co., Inc. (Owner)** – Request to Replace an Existing Service Station with a New Service Station – CC-C (Central City Commercial) Zoning District. The Project is Located at 22253 Foothill Boulevard.

Staff report submitted by Associate Planner Emura, was filed.

Associate Planner Emura made the staff report and provided the history of this service station and described the zoning, displayed elevations and the sites adjacent to this project. He noted that 8 gas pumps will replace the 4 existing pumps and noted the landscape improvements of the project. Driveways will be reduced too. He commented the contemporary design with a higher roof line over the entry complements the Mervyns Building. There will be a checkered pattern on the rear walls of the building. He described the signage of the project. Staff is recommending a trim cap on the existing monument sign to match the trim cap on the building. He noted the current hours of operation, but informed the Commission that the applicant is interested in a 24-hour service, which staff does not object to.

Chairperson Zermeño thanked staff for eliminating the boxy look. He asked if staff had any issues to the 24-hour operation.

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Associate Planner Emura indicated that the gas station is isolated from other uses and residential use is located further down on Hazel Ave.

The public hearing opened at 7:43 p.m.

Alex A. Irshaid indicated that he had traveled from Corona. He commended Associate Planner Emura and thanked him for assisting in this project. He urged the Planning Commission approval of the project. He responded to questions related to lighting that might impact residences and described how the store part of the business will close at a specific time. Then, an attendant inside will use a pass-through window to provide for continued transactions, as the fueling system is self serve. The project is in line with the design guidelines of the City.

The Planning Commission discussed the 24-hour operation. It was noted that the station could serve the community better with the amount of investment and give peace of mind that it would not be vandalized. It was emphasized that no alcohol will be sold.

The public hearing closed at 7:49 p.m.

Chairperson Zermeño asked if there was a need for walls between Mervyns and the project. He also asked whether a rear entrance to the store was considered. Associate Planner Emura described the fencing as a retaining wall with decorative wrought iron. He noted that Mervyn's would not allow patrons of the gas station to park in the Mervyns parking lot.

Commissioner Thnay suggested that the Commission direct staff to add a condition of approval that would allow revocation proceedings to begin should any nuisance issues arise due to the 24-hour operation.

Planning Commission comments were favorable for the project including the enhancement to the City's gateway, improved traffic flow to and from the station due to the reconfiguration of the gas pumps, and the new building and improved landscaping that will complement the area.

Commissioner Thnay moved, seconded by Commissioner Bogue, and carried with the following roll call vote to approve the staff recommendation including adding the condition related to the 24-hour operation, and to find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15302, Class 2, Replacement or Reconstruction, and approve the Use permit, subject to the findings and conditions of approval.

AYES:	Planning Commissioners Fraas, Bogue, Sacks, Thnay, Chairperson Zermeño
NOES:	None
ABSENT:	Planning Commissioner McKillop, One vacancy
ABSTAINED:	None



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2. **Variance No. PL-2004-0073 – Aaron & Denise Larson (Applicant/Owner)** – Request to Retain an 8-Foot Fence Along The Side and Rear Property Lines Where a Maximum of 6 Feet is Permitted – The Project is Located at 24099 Malibu Road.

Associate Planner Emura noted that the applicant requested a continuance to May 13, 2004.

3. **Variance No. PL-2004-0079 – Signs Designs (Applicant) / Harman Management (Owner)** – Request to Install Two Logo Signs on The Roof of an Existing Fast Food Restaurant (KFC) Where Roof Signs are Prohibited and Where The Height of The Signs Exceed 24" (48" Proposed) – The Project is Located at 1299 W. Tennyson Road, at The Corner of Patrick Avenue

Associate Planner Emura noted that the applicant requested a continuance to May 13, 2004.

ADDITIONAL MATTERS

4. Oral Report on Planning and Zoning Matters

Planning Manager Anderly noted that the May 13 agenda will be pretty filled as it will include the continued hearings as well as the review of the CIP budget.

5. Commissioners' Announcements, Referrals

Chairperson Zermeño reported that the Annual Report from MTC is available. He announced several workshops: 1) The AC Countywide Transportation Plan; 2) Get Smart on Smart Growth in Oakland and Chino. He also announced the Cinco de Mayo festivities on Saturday, May 1, beginning at 10 a.m., at the City Hall Plaza.

APPROVAL OF MINUTES

March 25, 2004 – Commissioner Thnay submitted revisions to the minutes, which were continued until the next meeting.

ADJOURNMENT

The meeting was adjourned by Chairperson Zermeño at 7:58 p.m.

APPROVED:

Christopher Thnay, Secretary
Planning Commission

ATTEST:

DRAFT

Angelina Reyes, City Clerk